

1 SHARON L. ANDERSON (SBN 94814)
2 County Counsel
3 NIMA E. SOHI (SBN 233199)
Deputy County Counsel
3 COUNTY OF CONTRA COSTA
651 Pine Street, Ninth Floor
4 Martinez, California 94553
Telephone: (925) 335-1800
5 Facsimile: (925) 335-1866
Email: nima.sohi@cc.cccounty.us
6

7 Attorneys for Defendants
8 CITY OF LAFAYETTE, COUNTY OF
CONTRA COSTA, LAFAYETTE POLICE
CHIEF ERIC CHRISTENSEN,
LAFAYETTE POLICE OFFICER
STEVE HARRISON, AND LAFAYETTE
POLICE OFFICER MICHAEL MARSHALL
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 MICHAEL SCHOCK,
16 Plaintiff,

17 v.

18 CITY OF LAFAYETTE; COUNTY OF
CONTRA COSTA; LAFAYETTE
POLICE CHIEF ERIC CHRISTENSEN,
individually and in his official capacity;
LAFAYETTE POLICE OFFICER
STEVE HARRISON, individually;
LAFAYETTE POLICE OFFICER
MICHAEL MARSHALL, individually;
and DOES 1 through 20,

23 Defendants.

No. C14-01902 RS

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND TIME TO RESPOND TO
MOTION TO DISMISS AND REPLY IN
SUPPORT OF SAME**

[Civil L.R. 6-1, 6-2, 7-12]

Date: September 4, 2014

Time: 1:30 p.m.

Crtrm: 3, 17th Floor

Judge: Hon. Richard Seeborg, Presiding

Date Action Filed: April 24, 2014

Trial Date: None Assigned

24 Pursuant to Civil Local Rules 6-1(b), 6-2 and 7-12, Plaintiff MICHAEL SCHOCK, by
25 and through his attorney of record, Stan Casper of the Casper, Meadows, Schwartz & Cook
26 law firm, and Defendants COUNTY OF CONTRA COSTA, CITY OF LAFAYETTE,
27 LAFAYETTE POLICE CHIEF ERIC CHRISTENSEN, LAFAYETTE POLICE OFFICER
28 STEVE HARRISON, and LAFAYETTE POLICE OFFICER MICHAEL MARSHALL

1 (collectively “Defendants”), by and through their attorney of record, Deputy County Counsel
 2 Nima E. Sohi of the Contra Costa County Counsel’s Office, hereby file this stipulated request
 3 for an order extending the time for the parties to file opposition and reply briefs, in response to
 4 and in support of Defendants’ Motion to Dismiss Certain Claims in Plaintiff’s Complaint, or
 5 Alternatively, Stay the Action (Doc. No. 10), filed on June 16, 2014.

6 RECITALS

7 1. On April 24, 2014, Plaintiff filed a complaint alleging violations of his civil
 8 rights pursuant to 42 U.S.C. §§ 1983 and 1988, and the common law of the State of California.

9 2. On June 16, 2014, Defendants filed a motion to dismiss certain claims in
 10 Plaintiff’s complaint, or alternatively, stay the action. The motion to dismiss was originally
 11 noticed for hearing before Magistrate Judge Cousins on July 23, 2014.

12 3. On June 19, 2014, this action was reassigned to Judge Richard Seeborg. The
 13 Court ordered that all pending motions must be re-noticed for hearing before the judge to
 14 whom the case has been reassigned, but that briefing schedules shall remain unchanged.

15 4. Pursuant to the Federal Rules and Local Rules, Plaintiff’s response to the motion
 16 to dismiss was due on June 30, 2014, with Defendants’ reply due on July 7, 2014.

17 5. On June 27, 2014, Defendants filed a re-notice of their motion to dismiss, per the
 18 Court’s order, setting the hearing date on their motion to dismiss for September 4, 2014.
 19 However, due to a misunderstanding, the filing deadlines were input as if the motion was
 20 being filed that day, *i.e.*, responses to the motion to dismiss due by July 11, 2014, with replies
 21 due by July 18, 2014.

22 6. The parties have stipulated and agreed that a response to the motion to dismiss
 23 shall be due no later than July 7, 2014, with Defendants’ reply in support of said motion to
 24 dismiss due no later than July 16, 2014. Pursuant to Civil Local Rule 6-2(a), in the
 25 accompanying declaration of Nima E. Sohi, the parties attest that the requested extension of
 26 time to respond to the motion to dismiss, and reply to said response, will not affect the current
 27 case schedule nor alter the date of any other event or deadline already fixed by Court order.

28 ///

STIPULATION

Pursuant to Civil Local Rule 6-2(a), the parties hereby stipulate that the response of Plaintiff Michael Schock to Defendants' Motion to Dismiss Certain Claims in Plaintiff's Complaint, or Alternatively Stay the Action, filed on June 16, 2014, will be due no later than July 7, 2014, with Defendants' reply due no later than July 16, 2014.

DATED: June 30, 2014

CASPER, MEADOWS, SCHWARTZ & COOK

By: _____ /s/
STAN CASPER
Attorneys for Plaintiff
MICHAEL SCHOCK

DATED: June 30, 2014

SHARON L. ANDERSON, County Counsel

By: _____ /s/
NIMA E. SOHI
Deputy County Counsel
Attorneys for Defendants
CONTRA COSTA COUNTY, CITY OF
LAFAYETTE, LAFAYETTE POLICE
CHIEF ERIC CHRISTENSEN,
LAFAYETTE POLICE OFFICER STEVE
HARRISON, AND LAFAYETTE POLICE
OFFICER MICHAEL MARSHALL

1 **[PROPOSED] ORDER**

2 Having considered the stipulation filed by the parties, and good cause appearing, the
3 Court hereby ORDERS that Plaintiff's response to Defendants' Motion to Dismiss Certain
4 Claims in Plaintiff's Complaint, or Alternatively Stay the Action, shall be due no later than
5 July 7, 2014, with Defendants' reply due no later than July 16, 2014.

6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

7
8 DATED: 6/30/14


HON. RICHARD SEEBORG
United States District Court Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28